

§ 27.32

vehicle that produces unusual or excessive noise or visible pollutants is prohibited.

(2) A refuge manager, by posting of appropriate signs or by marking on a map which shall be available at the refuge headquarters, may require that any motor vehicle operating in the designated area shall be equipped with a spark arrestor that meets Standard 5100-1a of the U.S. Forest Service, Department of Agriculture which standard includes the requirements that such spark arrestor shall have an efficiency to retain or destroy at least 80 percent of carbon particles, for all flow rates, and that such spark arrestor has been warranted by its manufacturer as meeting the above mentioned efficiency requirement for at least 1,000 hours, subject to normal use, with maintenance and mounting in accordance with the manufacturers recommendations.

(f) The operation of a vehicle which does not bear valid license plates and is not properly certified, registered, or inspected in accordance with applicable State laws is prohibited.

(g) Driving or permitting another person to drive a vehicle without valid license is prohibited. A valid driver's or operator's license must be displayed upon the request of any authorized official.

(h) Stopping, parking or leaving any vehicle, whether attended or unattended, upon any road, trail, or fire lane so as to obstruct the free movement of other vehicles is prohibited, except in the event of accident or other conditions beyond the immediate control of the operator, or as otherwise directed by an authorized official.

(i) All persons shall obey the lawful order or signal of any authorized official directing, controlling, or regulating the movement of traffic.

(j) Load, weight and width limitations, as may be necessary, shall be prescribed and the public advised under provisions of §25.31. Such limitations must be complied with by the operators of all vehicles.

(k) A motor vehicle involved in an accident is not to be moved until an authorized official arrives at the scene of the accident, unless such vehicle constitutes a traffic or safety hazard.

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(l) A motor vehicle shall not be operated at anytime without proper brakes and brake lights, or from sunset to sunrise without working headlights and taillights which comply with the regulations for operation on the roads of the State within whose boundaries the refuge is located.

(m) Such other requirements which are established under the provisions of this subchapter C.

§ 27.32 Boats.

(a) The use of boats in national wildlife refuges is prohibited except as may be authorized under and subject to the requirements set forth below.

(b) When the use of boats is permitted on any national wildlife refuge, the public will be notified under the provisions of this subchapter C and the following operational requirements and limitations will apply:

(1)(i) In addition to the regulations contained in this part, the U.S. Coast Guard Regulations, titles 33 and 46 CFR, are applicable on navigable waters of the United States.

(ii) Unless specifically covered by the general and special regulations set forth in this chapter, the laws and regulations of the State within whose exterior boundaries a national wildlife refuge or portion thereof is located shall govern boating and the operation and use of boats. Such laws and regulations which are now or may hereafter be in effect are hereby adopted and made a part of the regulations in this part.

(2) No operator or person in charge of any boat shall operate or knowingly permit any other person to operate a boat in a reckless or negligent manner, or in a manner so as to endanger or be likely to endanger any person, property or wildlife.

(3) No person shall operate or be in actual physical control of a boat while under the influence of intoxicating beverages or controlled substances.

(4) No person shall operate a boat in a manner which will unreasonably interfere with other boats or with free and proper navigation of the waterways of the areas. Anchoring in heavily traveled channels or main thoroughfares shall constitute such interference

if unreasonable in the prevailing circumstances.

(5) No person shall operate a boat on refuge waters that has a marine head (toilet) unless it conforms to Environmental Protection Agency regulations regarding sewage discharge.

(6) Every sailboat when underway from sunset to sunrise shall carry and exhibit a bright white light visible all around the horizon for a distance of two miles.

(7) Leaving any boat unattended, outside of designated mooring or beaching areas, for a period in excess of 72 hours without written permission of the refuge manager is prohibited and any boat so left may be impounded by the refuge manager.

(8) Government-owned docks, piers, and floats are not to be used for loading and unloading of boats, except in emergencies or unless specifically authorized by the refuge manager.

§ 27.33 Water skiing.

When water skiing is permitted upon national wildlife refuge waters, the public will be notified under the provisions of this subchapter C and the following requirements and limitations will apply:

(a) Water skiing is permitted only during daylight hours and during periods posted or otherwise designated under the provisions of this subchapter C.

(b) When a skier is in "tow" there must be two persons in the boat at all times, with one person not operating the boat, acting as an observer of the skier in tow.

(c) The direction of a tow boat when circling will be counter clockwise.

(d) Skiers must wear U.S. Coast Guard approved ski belts, life jackets or buoyant vests.

(e) Water skiing is prohibited within 300 feet of harbors, swimming beaches, and mooring areas, and within 100 feet of any designated swimming area.

§ 27.34 Aircraft.

The unauthorized operation of aircraft, including sail planes, and hang gliders, at altitudes resulting in harassment of wildlife, or the unauthorized landing or take-off on a national wildlife refuge, except in an emer-

gency, is prohibited. National wildlife refuge boundaries are designated on update FAA aeronautical charts.

Subpart D—Disturbing Violations: With Weapons

§ 27.41 General provisions.

Carrying, possessing, or discharging firearms, fireworks, or explosives on national wildlife refuges is prohibited unless specifically authorized under the provisions of this subchapter C.

§ 27.42 Firearms.

Only the following persons may possess, use, or transport firearms on national wildlife refuges in accordance with this section and applicable Federal and State law:

(a) Persons using firearms for public hunting under the provisions of 50 CFR part 32.

(b) Persons carrying unloaded firearms, that are dismantled or cased, in vehicles and boats over routes of travel designated under the provision of subchapter C.

(c) Persons authorized to use firearms for the taking of specimens of wildlife for scientific purposes.

(d) Persons authorized by special regulations or permits to possess or use firearms for the protection of property, for field trials, and other special purposes.

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§ 27.43 Weapons other than firearms.

The use or possession of cross bows, bows and arrows, air guns, spears, gigs, or other weapons on national wildlife refuges is prohibited except as may be authorized under the provision of this subchapter C.

[46 FR 47230, Sept. 25, 1981]

Subpart E—Disturbing Violations: Against Plants and Animals

§ 27.51 Disturbing, injuring, and damaging plants and animals.

(a) Disturbing, injuring, spearing, poisoning, destroying, collecting or attempting to disturb, injure, spear, poison, destroy or collect any plant or animal on any national wildlife refuge